

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WAEL MORTADA,

Case No. 04-80480-7

Defendant.

Honorable Patrick J. Duggan

ORDER DENYING DEFENDANT'S MOTION TO AMEND SENTENCE

At a session of said Court, held in the U.S.
District Courthouse, City of Detroit, County of
Wayne, State of Michigan, on June 19, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Presently before the Court is a Motion on behalf of Wael Mortada to amend the sentence imposed by this Court on May 15, 2008. In arriving at the sentence that the Court imposed, the Court considered all of the information contained in the Presentence Report (which Defendant acknowledged as being correct), including the fact that he resides with his parents and “according to the Defendant, his parents are divorced despite their current living arrangements.” The Court further considered the arguments made on behalf of Mr. Mortada by his counsel, including counsel’s request that the Court grant the government’s Motion to reduce the guideline range by fifty percent, which would result in a low-end of seven and one-half months. The Court also acknowledges that counsel asked that the Court consider some type of house arrest.

As counsel acknowledged, Defendant was facing a minimum of seven and one-half months in prison. The Court expressly rejected defense counsel's request of a sentence of probation because, as the Court indicated, a sentence of probation would not be, in this Court's opinion, adequate punishment and certainly would not serve as an adequate deterrent.

Nevertheless, the Court decided that it would be appropriate to "give Defendant a break" and thus sentenced him to six months of community confinement, which would allow him to continue his employment.

Nothing in Defendant's Motion persuades this Court that there should be any modification in the sentence.

For the reasons set forth above, Defendant's Motion to amend sentence is **DENIED**.

SO ORDERED.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
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